

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:24-CV-767-BO-RJ

CHRIS MUMME,)
Plaintiff,)
)
v.)
)
UNITED STATES OF AMERICA,)
Defendant.)

ORDER

By order entered December 23, 2024, plaintiff was ordered to show cause not later than January 10, 2025, why this case should not be dismissed for failure to effect service within ninety days of the filing of the complaint. *See* Fed. R. Civ. P. 4(m). Plaintiff was further warned that failure to comply with the show cause order would result in the dismissal of the complaint without prejudice.

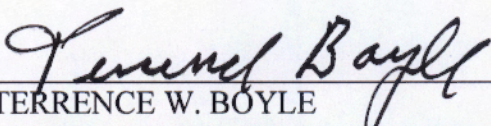
Plaintiff has failed to comply with the Court's December 23, 2024, order. On January 13, 2025, the Court received from plaintiff a motion pursuant to Rule 60 in which he, among other things, requests recusal of the undersigned, identifies alleged errors in the Court's prior orders, and contends that Rule 4's requirements have been waived by defendant's inaction. [DE 21]. Plaintiff also attached a notice of self-representation and financial disclosure statement, which he was ordered to file in September 2024.

As to recusal, plaintiff has identified no basis for recusal of the undersigned. 28 U.S.C. § 455; *Liteky v. United States*, 510 U.S. 540, 555 (1994); *Belue v. Leventhal*, 640 F.3d 567, 572 (4th Cir. 2011). Plaintiff has further failed to timely respond to the Court's order, and he has not demonstrated good cause for failing to respond within the time provided. Moreover, plaintiff's

response fails to show cause why this case should not be dismissed for failure to effect service within the time provided by Fed. R. Civ. P. 4(m).

The complaint is therefore DISMISSED without prejudice pursuant to Fed. R. Civ. P. 4(m). Plaintiff's Rule 60 motion and motion for recusal [DE 21] is DENIED. Plaintiff's motions seeking various forms of relief, [DE 4; DE 5; DE 7; DE 8; DE 9; DE 14; DE 15; DE 17], are DENIED AS MOOT.

SO ORDERED, this 26 day of February 2025.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE